



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

April 30, 1998

Ms. M. Patrice Benford  
Assistant City Attorney  
Criminal Law and Police Division  
City of Dallas  
City Hall  
Dallas, Texas 75201

OR98-1101

Dear Ms. Benford:


You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 115011.

The City of Dallas Police Department (the "department") received a request for a copy of the department's "written policy on the use of force." You contend that requested information is excepted from disclosure pursuant to section 552.108 of the Government Code. We have considered the exception you claim and have reviewed the documents at issue.

Section 552.108(b)(1) excepts from disclosure "[a]n internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution . . . if . . . release of the internal record or notation would interfere with law enforcement or prosecution." You have explained how publicly disclosing the use of force policy, an internal department document, would interfere with law enforcement. Thus, we conclude that the department may withhold the policy from disclosure under section 552.108(b)(1).

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have any questions about this ruling, please contact our office.

Yours very truly,

  
Karen E. Hattaway  
Assistant Attorney General  
Open Records Division

KEH/ch

Ref: ID# 115011

Enclosures: Submitted documents

cc: Mr. Randall Reed  
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(w/o enclosures)